



Home Office

CODE OF PRACTICE ON THE MANAGEMENT OF POLICE PURSUITS

(Made by the Secretary of State for the Home
Department in May 2011)

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Presented to Parliament pursuant to sections 39 and 39A of the Police Act 1996

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1 Introduction

1.1 Purpose of the code

1.1.1 The purpose of this code is:

- To set out the responsibilities of chief officers in relation to the management of police pursuits;
- To set out the overarching framework for the management of police pursuits;
- To set out the overarching framework for selection, training and authorisation of police officers and other police staff to conduct police pursuits;
- To encourage the identification and promulgation of good practice in relation to police purposes;
- To specify the need for procedures to support post incident investigations, and post incident welfare of staff and others involved.

By fulfilling these purposes, the code will:

- Provide a framework that contributes to public safety;
- Enhance public confidence in the management of police pursuits;
- Ensure that police pursuits are undertaken only when a necessary and proportionate means of preventing crime and apprehending offenders.

1.2 Statutory basis of the code

1.2.1 This code of practice comes into effect on 23 May 2011

1.2.2 This code of practice is issued under:

- Section 39 of the Police Act 1996, which permits the Secretary of State to issue codes of practice relating to the discharge by police authorities of any of their functions;

• Section 39A of the same Act (as inserted by section 2 of the Police Reform Act 2002) which permits the Secretary of State to issue codes of practice relating to the discharge of functions by chief officers where necessary for the purpose of promoting the efficiency and effectiveness of police forces in England and Wales.

1.2.3 Under section 39A(7) of the Police Act 1996, chief officers have a duty to have regard to this code of practice when discharging a function to which this code relates. This code must be followed unless there are good reasons not to do so, in which case the decision not to follow the code should be recorded in writing.

1.2.4 This code is issued to the chief officers and police authorities of police forces maintained for the police areas of England and Wales as defined in section 1 of the Police Act 1996.

1.2.5 This code is available for adoption by other non-Home Office police forces in England and Wales, and by other jurisdictions within the United Kingdom.

2. Scope and status of this code

2.1 What is covered by this code

2.1.1 This code applies to police pursuits as defined in the current guidance issued by the Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO) in respect of the management of police pursuits. The code relates to any officer or member of police staff involved in the management, command or undertaking of police pursuits, or those providing advice in respect of police pursuits.

2.2 Legislative framework

2.2.1 Police pursuits are governed by the general law of England and Wales, including the provisions of the European Convention on Human Rights (ECHR) now incorporated in domestic law by the Human Rights Act 1998. Article 2 (Right to Life) of the ECHR is of particular relevance. Police officers will only undertake pursuits in accordance with the legislative framework and the ACPO Guidance on the Management of Police Pursuits.

3. Basic Requirements of this code

3.1 Nominated pursuits lead in each force

Chief officers should ensure that an officer of at least the rank of Assistant Chief Constable, or equivalent, is nominated to take the lead within the force, for maintaining standards and proactively assessing compliance with this code.

3.1.1 Chief officers should also ensure that structures are in place to ensure that a trained and authorised officer or member of staff is readily available to authorise pursuit initiation and command pursuits at the operational level.

3.2 Relationship of the code to other guidance

3.2.1 ACPO provides the police service with strategic direction, policy and guidance in order to improve its efficiency and effectiveness in all matters concerning police pursuits.

3.2.2 Chief officers should make arrangements under this code for the management of police pursuits, having regard to the ACPO Guidance on the Management of Police Pursuits which is produced and adopted collectively by chief officers, including any updates to that guidance which is made after this Code comes into force.

3.2.3 Chief officers should also have regard to other guidance issued by ACPO, relevant to the management of police pursuits.

4. Development and approval of tactics and equipment

4.1 Development of tactics and equipment

4.1.1 This code encourages continuous development and assessment of police tactics and equipment in relation to police pursuits and that such developments are communicated throughout the police service nationally.

4.2 Approval of tactics and equipment

4.2.1 Chief officers are responsible for ensuring that tactics and equipment used in their force areas in the resolution of pursuits are recognised and approved by ACPO.

4.2.2 Chief Officers should work with ACPO to ensure there are systems in place for developing, trialling and evaluating new tactics and equipment prior to them being approved by ACPO for continuing national use and inclusion in the ACPO guidance.

4.2.3 Chief officers will ensure that in accordance with these systems new tactical options are forwarded for ACPO's consideration and approval for initial use on a trial basis.

5. Training

5.1 Selection, training and authorisation

5.1.1 Chief officers co-operating with each other through ACPO should agree national standards for those officers and staff who:

- Take part in pursuits;
- Handle radio communication during pursuits;
- Authorise and command pursuits;
- Provide tactical advice on pursuits;
- Manage the post incident process.

Chief officers should arrange the selection, training and authorisation of these officers and staff in accordance with the nationally agreed standards.

5.1.2 Forces should maintain records of this selection, training and authorisation.

6. Promulgation of learning and good practice

6.1 Promulgation of good practice

- 6.1.1 Chief officers should ensure that systems are in place to identify improvements in procedures, training and equipment relating to police pursuits, including reviews or debriefs where necessary.
- 6.1.2 Chief officers should work with ACPO to ensure training thresholds are kept under review, to take account of the continuing identification and development of good practice resulting from the systematic and proactive assessment and reporting of experience.
- 6.1.3 Forces must maintain auditable records of police pursuits in accordance with ACPO guidance.

6.2 Immediate reporting of safety-critical information

- 6.2.1 Chief officers should establish and maintain procedures for reporting safety-critical information to ACPO. ACPO will be responsible for disseminating this information and arranging for the technical investigation of such matters where necessary.

6.3 Community impact

- 6.3.1 Chief officers should ensure, in consultation with their police authorities, that their arrangements for the management of police pursuits take account of any community, diversity and human rights issues involved. Chief officers should consider the need to provide timely and accurate information to local communities to retain or promote community confidence and reassurance in police action(s).
- 6.3.2 Matters relating to police pursuits should be handled with openness and transparency. The degree of possible openness must be consistent with any need to retain the confidentiality of aspects of training and tactics, publication of which could compromise public safety and future operational effectiveness. It must also take account of the views of the supervising authority for any related investigation and the views of the Crown Prosecution Service, where relevant.

7. Post incident procedures

7.1 Post incident investigation and welfare of staff and others involved

- 7.1.1 Chief officers should have systems in place to support post incident investigations and the welfare of staff and others involved, as detailed in the ACPO Guidance on the Management of Police Pursuits.

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